

**MINUTES**  
**NATURAL RESOURCES COMMISSION**

**Lansing Center  
333 E. Michigan  
Lansing**

**January 9-10, 2003**

**PRESENT**

Jim Campbell  
Keith Charters, Chair  
Paul Eisele, Vice-Chair  
Bob Garner  
John Madigan  
Bill Parfet  
Frank Wheatlake

K. L. Cool, Director  
A. Michael Leffler, Legal Counsel  
George Burgoyne, Resource Management Deputy  
James Ekdahl, Upper Peninsula Field Deputy  
Kelli Sobel, Administrative Services Deputy  
Department Staff

**COMMITTEE OF THE WHOLE**

**Chairman Charters** called the Committee of the Whole meeting of the Natural Resources Commission (NRC) to order at 3:05 p.m. on Thursday, January 9, 2003. The Committee of the Whole is a working session of the NRC.

\* \* \*

**Commissioner Campbell** welcomed students from the MSU Human Dimensions Class.

**Tri-Centennial State Park and Harbor**

**Director Cool** reported that in September 1998, the Department of Natural Resources (DNR) opened a new pocket park at the 150<sup>th</sup> Anniversary of the Michigan State Fair in Detroit where outdoor activities were provided. This was a test market for future projects in the Detroit area. To date, over 350,000 Detroit area residents have visited the pocket park, many of them youngsters who fished for the first time.

## MINUTES

Page 2

January 9-10, 2003

Southeastern Michigan is home to 50 percent of Michigan's citizens and the desire for outdoor recreation opportunities in the area far exceeds the ability of existing parks to provide for these needs. In December 1998, the DNR received support from Doug Rothwell, the CEO of the Michigan Economic Development Corporation, for consideration of a concept for a State Park on the Detroit River. Numerous meetings took place with Detroit officials, General Motors and others over a four year period. In 2002, General Motors Corporation spearheaded a task force of city, state and private interests to bring the East Riverfront concept to reality. On December 12, 2002, Director Cool signed the Director's Order creating Michigan's 97<sup>th</sup> State Park: the Tri-Centennial State Park and Harbor.

**Barry Murray, Vice President of SmithGroupJJR**, the contracted designer and architect for the Park, reviewed the history of the Detroit riverfront over the past 100 years. Michigan natural resources and economic history will be highlighted through interpretation. He reviewed the concept plan linkage to the Riverfront and ridding the riverfront of industrial sites; properly interpreting the resources in the State Park system with the hopes of triggering career opportunities in natural resources from those who would otherwise not have exposure; empowering residents with knowledge and abilities to view and appreciate the natural resources of the state and of this area; and potentially connecting with neighborhoods in the Detroit metropolitan area to the river.

**Commissioner Eisele** questioned whether it is anticipated that the public, other than residents and Renaissance Center employees, would utilize the park.

**Mr. Murray** responded that the park is designed for nearby residents and the local workforce with the expectation of expanding visitors as various phases are developed.

**Commissioner Wheatlake** questioned whether funds will exist to control and maintain the Park. **Director Cool** responded that this would be the only State Park where the DNR does not own the property. Endowments have been set up to provide for safety, security and maintenance of the park. The DNR is a voting member of the Conservancy Board set up to manage the endowment funds. Phase I of the Park will be completed and dedicated in 2003.

**Vicki Anthes, Parks and Recreation Bureau**, reported that there is a tight interface between the Park project stakeholders and its users. This will create a great opportunity to let residents and visitors know what statewide natural resources exist across the State. The hope is to reach out to school groups and youth that have not had the opportunity for exposure to the State's natural resources as well as provide an introduction to natural resources careers.

**Commissioner Garner** commented that fruit trees are a part of the Detroit riverfront history and recommended this also be included in the historical interpretation of the area.

Discussion ensued relative to future planning and challenges in developing the riverfront.

\* \* \*

**Commissioner Campbell** introduced **Brian Preston, Regional Director, Great Lakes Program Office of the National Wildlife Federation.**

**Direct Surface Use Leases for Existing Airplane Hangars at the Department's Roscommon Airport**

**Mindy Koch, Forest, Mineral and Fire Management Chief**, reviewed the history of the airstrip and hangars. This facility is the only operational DNR-owned airstrip in Michigan and is used primarily for fire protection purposes. In the late 1940s, hangars were originally built for use by employees. Currently, 14 private citizens hold use permits for the hangars. The use permits contain clauses stating that these permits can be cancelled at any time by the DNR. Staff is recommending Director's approval of a 15-year lease without extension on these hangars. This lease intends to allow for utilization of investments and providing ample time for making other plans following the lease end date. There has been a great deal of discussion on private use of this site. The proposed generic lease document has gone through a review process that staff believes provides the DNR with protections and allows the lessee flexibility and benefits beyond a use permit.

**Ms. Koch** stated that, in order for the DNR to lease lands for private use on public lands, it is necessary for the DNR to determine that the use is complementary to the DNR mission. Discussions continued on whether continuation of leases meets the mission. **Scott Heather, Forest, Mineral and Fire Management Division**, answered questions regarding the strip and the details of the facility and reviewed the advantages to the DNR in keeping the airstrip open from a fire manager's standpoint.

\* \* \*

The Committee of the Whole meeting adjourned at 4:40 p.m.

## **REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION**

**Chairman Charters** called the regular meeting of the Natural Resources Commission (NRC) to order at 4:55 p.m.

### **SHIKAR-SAFARI CLUB INTERNATIONAL WILDLIFE OFFICER OF THE YEAR**

The Shikar-Safari International Wildlife Officer of the Year Award is the major award in Law Enforcement Division for recognizing outstanding performance. This honor also carries the distinction of being Michigan's Conservation Officer of the Year. The nominations are submitted by Conservation Officers, based on established criteria related to officer duties and personal attributes.

**Mr. Gunnar Klarr, representing Shikar-Safari Club International**, presented the selection for 2002 to **Conservation Officer (C.O.) Michael Borkovich** who works out of the Cadillac District Office.

**Chairman Charters** congratulated and supported the selection of C.O. Borkovich for this honor. C.O. Borkovich introduced his wife and children as well as other family members who were present in his honor.

### **PUBLIC APPEARANCES**

**Dan Rockafellow, Lansing**, believes that the DNR is failing to accurately estimate the deer harvest and believes that the DNR should be counting every legally harvested deer in the state. He requested cooperation from the NRC to encourage and/or require the DNR to conduct mandatory deer counts.

**Commissioner Garner** recommended that Mr. Rockafellow review the science behind the current harvest estimates.

**Robert Farr, owner of hangar at Roscommon airport**, objected to the preemptive non-renewal clause in the proposed lease, and he objected to the proposed requirement for hangar lessors to carry aviation insurance stating this is not a legislative requirement. He requested that the January 31, 2003 deadline for DNR Director approval of the lease be extended to allow further discussions between the lessors and the DNR.

**Commissioner Wheatlake** questioned why, if someone only has a one-year lease, they would put capital investments into the hangar. Mr. Farr responded that these leases have been renewed each year for many years.

**David Haywood, Attorney** representing 11 of 14 hangar owners at the Roscommon airstrip, does not believe the DNR has the right to enter into leases such as the one proposed for this facility. He stated that the proposed lease is close to something his clients would agree to, but requested extension of the use permits to allow more time for the interested parties and the DNR to discuss and develop a lease upon which both sides can agree. He requested a meeting with the DNR and the Attorney General's Office to discuss the lease agreement.

**Director Cool** stated that issues such as the lease for the Roscommon hangars are Director's Action Items and the NRC is a sounding board for the public and staff. He stated that Assistant Attorney General Michael Leffler believes that use permits and leases are not a good idea based on liability concerns. Whatever his final decision is on this issue, the DNR will not manage airports in the future.

**Jay Tuckey** presented comments to the NRC Policy Committee on Wildlife Issues earlier requesting a 10 year moratorium on mandatory quality deer management units in the state. He was unable to stay for the Public Appearances portion of the meeting. **Chairman Charters** reflected his comments for the record.

**Sam Washington, Michigan United Conservation Clubs,** reported that the Commission of Agriculture had, earlier today, voted to indefinitely extend the ban on importation of cervids into the State. He believes there is much more to be done to keep chronic wasting disease (CWD) out of Michigan and does not share the opinion of some that CWD is inevitable. Mr. Washington believes that the only way to keep CWD out of Michigan is by an extensive cooperative effort and recommended that the Commission of Agriculture and the Natural Resources Commission meet jointly on this issue. Discussion ensued regarding how a cooperative effort may work. He said that many organizations in the Upper Peninsula are curious if CWD comes into the State, will the DNR stop baiting. He recommended that a campaign be initiated in the Upper Peninsula to educate the residents of the science behind baiting and the relationship to spread of disease.

**Brian Preston, National Wildlife Federation (NWF), Great Lakes Program Office,** stated that his organization has been working on CWD issues with their affiliate, MUCC, in a manner consistent with NWF policy. Mr. Preston stated that he was hired recently to bring sporting issues back into the picture and said he looks forward to working on these important issues.

**Commissioner Eisele** stated he would like the NWF to take a strong advocacy position for hunting programs.

## MINUTES

Page 6

January 9-10, 2003

**Rob Anderson, Michigan Farm Bureau**, reviewed the 2003 Michigan Farm Bureau Wildlife Management Policy. The policy strongly urges farmers to utilize all permits available and allow responsible hunters to hunt their farms in safe numbers and keep problem wildlife under control. It also encourages Farm Bureau and the DNR to educate the public about the problems associated with wildlife overpopulation. The Farm Bureau supports all current hunting, trapping and fishing methods that keep deer and other wildlife in balance. Discussion ensued regarding cooperation of efforts between the DNR and Farm Bureau. The Farm Bureau agreed to provide the NRC with Policy books once printed.

\* \* \*

The meeting adjourned at 6:22 p.m. on January 9, 2003 and reconvened at 8:35 a.m. on January 10, 2003.

\* \* \*

## **DIRECTOR'S REPORTS**

### **Chronic Wasting Disease (CWD)**

**Becky Humphries, Wildlife Division Chief**, reported that she has briefed **Governor Granholm** and the Governor's legal counsel, Kelly Keenan, on CWD. She stated that the meeting was productive. The surveillance and action plan previously shared with the Wildlife Issues Committee was the result of a combined effort between the Michigan Department of Agriculture (MDA) and DNR to begin addressing CWD and making sure the proper protocols were in place. As discussions have proceeded, they are identifying other areas of risk. **Ms. Humphries** stated that a great deal has been done to date. Discussion with the Governor and her staff consisted of a possibility of establishment of a task force on CWD. **Dr. Joan Arnoldi, State Veterinarian, MDA**, presented a paper that Agriculture cooperatively developed reviewing what has happened to date relative to CWD. **Dr. Arnoldi** stated that the plans jointly developed for surveillance and a contingency plan are being used by many other states as a model.

**Chairman Charters** requested that the Wildlife Division present goals, where we are, what needs to be done, who is involved, what the action plan is going to be to implement goals and determine resources and authorities. **Commissioner Garner** also recommended that determination of what are the border states doing to protect against CWD. **Commissioner Parfet** recommended that an end point should be agreed to by the DNR and MDA which would make it easier to develop the action plan. **Dr. Arnoldi** believes that, the difference between CWD and TB is that with CWD, the two Departments began working together from the onset of the issue.

**Commissioner Garner** stated that this issue is top priority with the new Governor and her staff. He also stated that the Upper Peninsula groups need to be educated soon relative to what has happened with CWD.

**Director Cool** thanked **Dr. Arnoldi** for attending. **Dr. Arnoldi** distributed a document with the background and history of the cervid regulation program as well as a copy of the joint surveillance program.

**Director Cool** commended Becky Humphries for her efforts and expertise in handling the CWD issue.

Discussion ensued that the CWD issue tends to focus on captive cervids.

### **Senate Committees**

**Director Cool** reviewed the recently appointed Michigan Senate Committees and stated that the DNR is pleased with the appointments.

### **Huron-Clinton Metropolitan Authority**

**Director Cool** reported that the Authority had raised their fees and rental costs for 2003.

### **Recognition of Matt Hare**

**Director Cool** commended Matt Hare who served as Governor Engler's Environmental and Natural Resources Policy Coordinator from 1999 through 2002. Matt was presented a white pine plaque from the DNR and NRC for his outstanding contributions to the DNR and NRC while he was in the Governor's Office.

**Commissioner Garner** thanked Matt for forwarding a letter written by Garner's son Anders to Governor Engler regarding youth hunting. Anders wrote this letter approximately 10 years ago when he was nine years old asking that the regulations be changed on the minimum hunting age.

### **Vision 2020: A Strategic Plan for Michigan State Parks**

**Director Cool** reported that in 1992, prior to his arrival at the DNR, the DNR management (Hank zurBurg, Acting Parks Division Chief, Michael Moore, Deputy Director, and Roland Harmes, Director) proposed "Vision 2020: A Strategic Plan for Michigan State Parks" and provided recommendations to address the critical issues facing the State Parks system at that time. Director Cool reviewed the six major action strategies and described how all have been addressed and/or

## MINUTES

Page 8

January 9-10, 2003

accomplished to date. **Commissioner Eisele** recognized former Commissioner David Holli for his part in addressing funding for parks when he was a Commissioner.

### **DNR Goals and Issues**

**Director Cool** provided the NRC with the Department's 2002 Goals and solicited NRC advice on 2003 goals and issues.

### **Appointments: NRC Policy Committee on Land Management**

**Chairman Charters** appointed **Commissioner John Madigan** to the NRC Policy Committee on Land Management, replacing former Commissioner Nancy Douglas.

### **Appointments: NRC Policy Committee on Finance and Administration**

**Chairman Charters** appointed **Commissioner John Madigan** as an alternate on the NRC Policy Committee on Finance and Administration.

### **NRC Goals**

**Chairman Charters** requested that the NRC review 2002 NRC Goals and stated that 2003 NRC Goals will be set at the February NRC meeting.

### **Department Land Holdings Policy – DRAFT**

This Draft Policy will be placed on the February 2003 NRC Agenda For Information Only and the March Agenda for Action. Discussion ensued relative to land holdings and developing goals and a strategy relative to the goals of the new Governor's Administration. Further discussion ensued regarding Payment-In-Lieu-of-Taxes (PILT) and property taxes and funding for those taxes.

\* \* \*

**Commissioner Parfet** left the meeting.

\* \* \*

### **Direct Surface Use Leases for Existing Airplane Hangars at the Department's Roscommon Airport**

**Mindy Koch** stated that she questions the compatibility of the private hangar leases with the DNR Mission and is concerned about liability of private individuals utilizing a DNR owned airstrip. **Commissioner Eisele** stated it is



important to provide proper notice on future actions of the DNR. **Commissioner Wheatlake** does not believe this airport and the hangars on the property are necessary to the DNR Mission and is concerned with the liability of private users of this airstrip. He supports a lease with a significantly shorter end date than the proposed 15 years. **Chairman Charters** concurred with Commissioner Wheatlake's comments and suggested that the DNR "get out of the airport business." **Commissioner Garner** stressed the importance of removing private use from this public property.

**Assistant Attorney General Mike Leffler** stressed concern with the proposed 15-year lease. He believes that private use of this airstrip should be discontinued as soon as possible and until use ceases, the airstrip should be properly maintained. He suggested providing a short transition time to allow for current users to find alternative facilities.

**Director Cool** reported that he will extend the lease signing deadline to February 28, 2003 and will likely seek a lease for less than 15 years. **Mr. Leffler** stated that there should be lease provisions added that will protect the DNR from liability issues.

#### **Chocolay Township Trail Update**

**Mike Leffler** reported that the DNR received an opinion on this issue that the DNR did not agree with and intends to appeal.

#### **Mullett Lake Trail Update**

The DNR is in the process of identifying groups to participate in a committee to address management of the trail system. The DNR wishes to proceed with development of trail in Spring 2003. The Forest, Mineral and Fire Management Division, Recreation and Trails Section will be the contact on this issue.

#### **ADOPTION OF ST. HELEN MOTORSPORT AREA MASTER PLAN**

**Jim Radabaugh and Steve Kubisiak, Forest, Mineral and Fire Management Division**, reported that this motorsport area is proposed in Roscommon County and covers approximately two square miles. This is the first formal management plan for recreational use in this area. Staff have met with the citizen advisory committee and held an open house at the location and have support. They encouraged NRC support to adopt the plan.

**Commissioner Wheatlake made a motion, supported by Commissioner Garner, to adopt the St. Helen Motorsport Area Master Plan. Motion unanimously carried.**

### **DIRECTOR'S ACTION ITEMS**

**Director Cool** intends to sign all Director's Action Items on the Agenda **except the Direct Surface Use Leases for Existing Airplane Hangars at the Department's Roscommon Airport.**

### **OIL AND GAS LEASE AUCTION, DECEMBER 3, 2002**

**Lynne Boyd** reviewed the results of the December 3, 2002 Oil and Gas Lease Auction.

### **APPROVAL OF MINUTES – DECEMBER 5-6, 2002 NATURAL RESOURCES COMMISSION MEETING**

**Commissioner Eisele** made a motion, supported by **Commissioner Garner**, for approval. Motion unanimously carried.

### **COMMISSIONER REPORTS**

**Commissioner Eisele** reported that the NRC Policy Committee on Land Management met on December 5, 2002 and proposed that the DRAFT Policy on Land Holdings be added to a future agenda of the NRC. The NRC agreed that this should be added to the February NRC Agenda For Information Only and the March Agenda for Action.

**Commissioner Campbell** received phone calls regarding deer populations.

**Commissioner Garner** reported that on January 28, 2003 a Upper Peninsula Deer Habitat meeting will be held in Escanaba. He also reported receiving complaints from hunters regarding the poor harvest during this past hunting season.

**Commissioner Eisele** reported that he has been invited to be a keynote speaker at a meeting of the Ohio Forestry Association in Columbus where he will discuss forestry issues.

**Commissioner Wheatlake** received DNR-related mail and had an opportunity to enjoy the Michigan out-of-doors.

**Commissioner Madigan** deer hunted with firearm and muzzleloader and received calls regarding hunting issues.

**Chairman Charters** commented that the NRC intends to proceed quickly on CWD issues.

**NRC Policy Committee on Wildlife Issues Meeting Report**

**Commissioner Garner** reported that the NRC Policy Committee on Wildlife Issues met on Thursday, December 5, 2002 at 2:00 p.m. in the Lansing Center. Present for the Committee were Commissioners Garner (Chair) and Commissioner Campbell. Chairman Charters and Commissioners Madigan and Wheatlake were present for the NRC. Topics of discussion included the deer and elk season, CWD and the proposed Mute Swan Interim Order.

\* \* \*

**Commissioner Garner made a motion, supported by Commissioner Eisele, to adjourn at 11:45 a.m. Motion unanimously carried.**